

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

QUASIM YUSAFI,

Plaintiff,

v.

CIV 10- 0576 MV/KBM

CITY OF ALBUQUERQUE,

Defendant(s).

ORDER TO SHOW CAUSE

THIS MATTER is before the Court *sua sponte*. This case was recently reassigned to me from Judge Puglisi. A review of the docket sheet indicates that there has been no activity in this action in over five months. There is a further indication that Plaintiff's attorney was suspended from the bar by the New Mexico Supreme Court as of July 30, 2010 and that he failed to attend a Rule 16 Initial Scheduling Conference or participate in the preparation of a joint status report. Thus, there appears to be a manifest lack of interest on the part of Plaintiff in litigating this matter.

The Court has the inherent power to impose a variety of sanctions on litigants in order to, among other things, regulate its docket and promote judicial efficiency. *Martinez v. Internal Revenue Service*, 744 F.2d 71, 73 (10th Cir. 1984).


One such sanction within the discretion of the Court is to dismiss an action for want of prosecution. *E.g., Nat'l Hockey League v. Metro. Hockey Club, Inc.*, 427 U.S. 639, 642-43(1976); *Link v. Wabash R.R. Co.*, 370 U.S. 626, 629-30 (1962); *see also Costello v. United States*, 365 U.S. 265, 286-87 (1961) (district court may dismiss *sua sponte* for failure to comply with order of court); *United States ex rel. Jimenez v. Health Net, Inc.*, 400 F.3d 853, 855 (10th Cir. 2005) (“dismissal is an appropriate disposition against a party who disregards court orders and fails to proceed as required by court rules. . . . Dismissal of the appeal is a strong sanction to be sure, but it is no trifling matter for Appellants to abuse our office by disappearing and failing to meet our deadlines. The federal courts are not a playground for the petulant or absent-minded; our rules and orders exist, in part, to ensure that the administration of justice occurs in a manner that most efficiently utilizes limited judicial resources.”).

Based on Plaintiff's failure to comply with local rules and the lack of activity in this case, he will be required to show cause why this case should not be dismissed.

Wherefore,

IT IS HEREBY ORDERED that no later than April 15, 2011, Plaintiff shall file with the Court a response to this Order showing cause why this case

should not be dismissed. Plaintiff is also hereby notified that failure to respond to this Order may result in dismissal without further notice.



Karen B. Molzen
Chief United States Magistrate Judge